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**FOR IMMEDIATE RELEASE**

## **The 21<sup>st</sup> Navajo Nation Council**

Contact: Alastair L. Bitsoi, Public Information Officer

Phone: (928) 871-7228

Cell: (928) 255-2943

Fax: (928) 871-7255

[abitsoi@navajo.org](mailto:abitsoi@navajo.org)

[www.navajonationcouncil.org](http://www.navajonationcouncil.org)

### **Council overrides President Shirley's veto, passes measures opposing the state of Arizona's immigration, ethnic studies bills**

**WINDOW ROCK, Ariz.** – The 21<sup>st</sup> Navajo Nation Council passed several pieces of legislation today during its 2010 Spring Special Session at the Navajo Nation Council Chamber.

One of the Council's first legislative action items was the passage of Legislation No. 0304-10, sponsored by Council Delegate Orlanda Smith-Hodge (Cornfields/Greasewood Springs/Klagetoh/Wide Ruins), which overrode President Joe Shirley's veto of Resolution CAP-17-10 or the Special Prosecutor Amendment Act of 2010 by a vote of 60-12. On May 14, President Shirley issued his edict to veto the resolution after Council enacted the resolution during its spring session, 61-17.

With the override's passage, Resolution CAP-17-10 is now lawful and authorizes the Chief Legislative Counsel to make application to the Special Division of the Window Rock District Court to appoint a Special Prosecutor.

Smith-Hodge said legislation was needed because when information on the alleged improprieties of the Navajo Nation's dealings with OnSat and BCDS, the Bio Chemical Decontamination Systems – two failed business deals managed by the Office of the President – were received by the Attorney General, he failed or refused to take immediate action.

"The delegation of authority to the Chief Legislative Counsel will prevent the Attorney General from being able to improperly protect Executive Branch officials and employees from investigation and prosecution," said Smith-Hodge.

In other action, the Council narrowly passed two pieces of legislation (Legislation No. 0297-10 and Legislation No. 0302-10), which were sponsored by Council Delegate Kee Allen Begay (Many Farms/Rough Rock) opposing the state of Arizona's immigration and ethnic studies bills (Senate Bill 1070 and House Bill 2281).

In effort to address the immigration bill, Council Delegate Begay sponsored Legislation No. 0297-10, which opposes Senate Bill 1070 for unlawfully infringing on the constitutional, civil, and human rights of indigenous peoples in the state of Arizona. The measure passed the Council floor, 30-24.

"In a way, the immigration bill is an attempt to harass Native Americans," Begay said. "When we are pulled over or stopped we are usually pulled over and asked for our IDs. Sometimes we do not carry those things and perhaps at that time we will have difficulty proving we are Native American. This legislation is a stance for the protection of Native Americans in Arizona."

Begay also cited a study conducted by the University of Cincinnati Policing Institute, which was prepared for the Arizona Department of Public Safety, that Native Americans were the most likely to be arrested at a

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rate of 4.5 percent compared to Blacks who were arrested at a rate of 3.2 percent, Hispanics at a rate of 2.9 percent and Whites at a rate of 1.6 percent. Begay said this study strongly indicates the need to oppose the immigration bill because of infringement of constitutional, civil and human rights.

Leonard Gorman, executive director for the Navajo Nation Human Rights Commission, agreed.

"A police officer can stop and detain an individual for violating an existing law and if a law enforcement officer has reasonable suspicion that person who got pulled over will be asked for documentation," Gorman said. "Once you are arrested you are going through the immigration process. It will not work. It will clog up the immigration system."

Legislation No. 0302-10 opposing Arizona House Bill 2281 for restricting ethnic studies in Arizona elementary and secondary schools also passed the Council floor, 45-2.

Council Delegate GloJean Todacheene (Shiprock) commended Council Delegate Begay on his legislation action efforts and said, "Bilagaanas (white people) forget they created a nation of immigrants – they invaded us and yet now they do not like it because America is becoming more brown or of an ethnic mix. The pendulum of civil rights can swing back and forth at anytime. I commend Kee Allen for his efforts."

The Council also passed two pieces of legislation sponsored by Council Delegate Young Jeff Tom (Mariano Lake/Smith Lake). One of Tom's measures (Legislation No. 0313-10) passed the Council floor with a 60-13 vote and appropriates \$3 million for public employment and \$2 million for the youth employment programs to Navajo Nation Chapters from the tribe's Contingency Management Fund. The other legislative item (Legislation No. 0226-10) sponsored by Tom declares the first day of every summer session Navajo Nation Horse Day.

A bill (Legislation No. 0254-10) sponsored by Council Delegate Johnny Naize (Tselani/Cottonwood/Nazlini) also passed the Council floor, 57-2. Naize's legislation allows for Navajo Housing Authority (NHA) to lobby Congress for an increase in the NAHASDA Indian Housing Block Grants funding from \$700 million to \$875 million, and if not keep the level of funding above \$700 million for federal fiscal year 2011, which is to be allocated to Indian Country. Some of NAHASDA block grants go to NHA.

Despite the legislation's passage, various Council delegates spoke about how NHA continues to ignore grass roots concerns on issues relating to dilapidated housing, increased crime and poor road conditions among others.

Council Delegate Amos F. Johnson (Forest Lake), a member of the Government Services Committee, the committee who has oversight authority of NHA, said the request for an increase of funds would address many concerns the Council pointed out as well as the concerns from public hearings held by the committee at the five agencies regarding NHA.

"We were told by the NHA administration and Board of Directors that with this funding, we are expecting change," Johnson said. "By supporting this effort we will see change. We will make the NHA administration and board accountable for the changes."

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